

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON
PORTLAND DIVISION

**THE ESTATE OF MARJORY GAIL
THOMAS OSBORN-VINCENT,**

No. 3:16-cv-02305-YY

OPINION AND ORDER

Plaintiff,

v.

**AMERIPRISE FINANCIAL SERVICES,
INC. et al.,**

Defendants.

MOSMAN, J.,

On September 11, 2023, Magistrate Judge Youlee Yim You issued her Findings and Recommendations (“F&R”) [ECF 267] recommending that to the extent the court reserved ruling on the costs requested in Defendants’ Motion for Attorney Fees and Costs [ECF 237], that motion now be granted, that Defendants’ Bill of Costs [ECF 261] be granted, and that Defendants be awarded \$8,490.10 in costs. No objections were filed. Upon review, I agree with Judge You, and I GRANT Defendants’ Motion for Attorney Fees and Costs, GRANT Defendants’ Bill of Costs, and AWARD Defendants \$8,490.10 in costs.

DISCUSSION


The magistrate judge makes only recommendations to the court, to which any party may file written objections. The court is not bound by the recommendations of the magistrate judge but retains responsibility for making the final determination. The court is generally required to make a de novo determination regarding those portions of the report or specified findings or

recommendation as to which an objection is made. 28 U.S.C. § 636(b)(1)(C). However, the court is not required to review, de novo or under any other standard, the factual or legal conclusions of the magistrate judge as to those portions of the F&R to which no objections are addressed. *See Thomas v. Arn*, 474 U.S. 140, 149 (1985); *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003). While the level of scrutiny under which I am required to review the F&R depends on whether or not objections have been filed, in either case, I am free to accept, reject, or modify any part of the F&R. 28 U.S.C. § 636(b)(1)(C).

CONCLUSION

Upon review, I agree with Judge You's recommendations, and I ADOPT the F&R [ECF 267] as my own opinion. I GRANT Defendants' Motion for Attorney Fees and Costs [ECF 237] and Bill of Costs [ECF 261]. I AWARD Defendants \$8,490.10 in costs. IT IS SO ORDERED.

DATED this 28 day of September, 2023.


MICHAEL W. MOSMAN
Senior United States District Judge